

P26829.A04



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Shingo KURAMOCHI Confirmation No. 2672
Appln No. : 09/970,968 Group Art Unit: 2162
Filed : October 3, 2001 Examiner: J. B. Fleurantin
For : SYSTEM FOR MANAGING OBJECTS BASED ON POSITION DATA

REQUEST FOR PRE-APPEAL BRIEF REVIEW

Commissioner for Patents
U.S. Patent and Trademark Office
Customer Window, Mail Stop AF
Randolph Building
401 Dulany Street
Alexandria, VA 22314
Sir:

This request is being filed concurrently with a Notice of Appeal and is responsive to the Final Official Action of June 29, 2005.

Reconsideration and withdrawal of the two 35 U.S.C. § 103(a) rejections is respectfully requested in view of the following remarks.

A prima facie case of unpatentability has not been set forth and the Rejections Under 35 U.S.C. § 103(a) Are Improper

Examiner's Assertion

The Examiner asserts that NAITO teaches a "data communication means for transferring only a selected database from the host computer to the portable terminal machine so that only information about the object to be managed and physical surrounding attributes is transferred to the portable terminal" (claim 1) at col. 2 lines 25-28 and col. 3, lines 16-61 of NAITO. This assertion is not correct.

Applicant's Response

The language cited by the Examiner merely describes a position detecting means which detects the position of a portable terminal so that appropriate data can be transmitted to the portable terminal, i.e., position data. NAITO does not utilize a means for transferring only a selected database from the host computer to the portable terminal machine so that only information about the object to be managed and physical

surrounding attributes is transferred to the portable terminal. Nor has the Examiner identified any such arrangements.

Examiner's Assertion

The Examiner asserts that NAITO teaches “an editing means for editing the coordinate data of a new object to be managed or when the object to be managed is being moved to a new location” (claim 1) at col. 12, lines 35-41 of NAITO.

Applicant's Response

Applicant disagrees. The language cited by the Examiner merely describes a means for updating a database after receiving certain information from a host computer, i.e., after receiving disaster information. Such disclosure is hardly equivalent to an editing means for editing the coordinate data of a new object to be managed or when the object to be managed is being moved to a new location. Nor has the Examiner properly explained how such disclosure is equivalent to the recited feature.

Examiner's Assertion

The Examiner acknowledges that NAITO and KOBAYASHI do not teach “the position data including coordinate data comprising starting points “X” and “Y” and end points “X” and “Y” for each object to be managed” (claim 1), but asserts that this is disclosed at col. 4, lines 40-46 of INAKI. This assertion is not correct.

Applicant's Response

While the language cited by the Examiner explains that certain data can be represented by coordinates which include start points X and Y and end points X and Y, such language relates to the building of a table for text (see Fig. 2) and not to position data of an object to be managed. Accordingly, INAKI bears no relationship or relevance, whatsoever, to the claimed invention.

Examiner's Assertion

The Examiner asserts that NAITO teaches “a portable terminal machine for receiving and storing the database output by the host computer” (claim 6) at col. 2, lines 16-19 of NAITO. This assertion is not correct.

Applicant's Response

The language cited by the Examiner merely explains that a data set from the

database is supplied to the portable terminal. NAITO does not disclose or suggest that the portable terminal receives and stores the database output by the host computer.

Examiner's Assertion

The Examiner acknowledges that NAITO lacks, among other things, "a searching unit" that specifies "the position information of a particular object of the objects to be managed" (claim 6). However, he explains that this is taught at col. 5, lines 6-40 of KOBAYASHI. This assertion is not correct.

Applicant's Response

While the language cited by the Examiner explains that the portable computer has an object storage database, it does not disclose or suggest that a number of objects are managed. Nor is there any apparent equivalency between the cited language and a searching unit that specifies the position information of a particular object of the objects to be managed.

Examiner's Assertion

The Examiner acknowledges that NAITO and KOBAYASHI lacks, among other things, "an editing means" that edits "coordinate data of a new object to be managed or when any of the objects to be managed is moved to a new location" (claim 6). However, he explains that this is taught at col. 4, lines 40-46 of INAKI. This is incorrect.

Applicant's Response

While the language cited by the Examiner explains that certain data can be represented by coordinates which include start points X and Y and end points X and Y, such language relates to the building of a table for text (see Fig. 2) and not to editing coordinate data of a new object to be managed or when any of the objects to be managed is moved to a new location.

Examiner's Assertion

The Examiner acknowledges that NAITO lacks, among other things, "a searching unit" that identifies "position data of the object to be managed independent of the portable position display apparatus's position" (claim 7). However, he explains that this is taught at col. 5, lines 6-40 of KOBAYASHI. This assertion is not correct.

Applicant's Response

While the language cited by the Examiner explains that the portable computer has an object storage database and the ability to search a database, it does not disclose or suggest managing an object independent of the portable position display apparatus's position, much less, position data of the object to be managed independent of the portable position display apparatus's position.

Examiner's Assertion

The Examiner asserts that NAITO teaches "a database outputting unit for outputting only a selected portion of the database to a portable terminal machine in response to a request from the portable terminal machine independent of a position of the portable terminal machine so that only information about the object to be managed and physical attributes of a surrounding environment is transferred to the portable terminal machine" (claim 10) at col. 2 lines 9-16 and 16-19 of NAITO. This is not correct.

Applicant's Response

The language cited by the Examiner merely describes a position detecting means which detects the position of a portable terminal so that appropriate data can be transmitted to the portable terminal, i.e., position data. NAITO does not utilize a database outputting unit for outputting only a selected portion of the database to a portable terminal machine in response to a request from the portable terminal machine independent of a position of the portable terminal machine, much less, so that only information about the object to be managed and physical attributes of a surrounding environment is transferred to the portable terminal machine.

Examiner's Assertion

The Examiner asserts that NAITO teaches the storing of "position data used to display a position of each of the plurality of objects to be managed in the area on the map" (claim 13) as col. 2, lines 28-34 of NAITO. This assertion is not correct.

Applicant's Response

While the language cited by the Examiner explains that the user, via the portable computer, can obtain "appropriate information regarding circumstances at his or her

location", it does not disclose or suggest that a plurality of objects are managed. Nor is there any apparent equivalency between the cited language and the storing of "position data used to display a position of each of the plurality of objects to be managed in the area on the map.

Examiner's Assertion

The Examiner asserts that NAITO teaches "a second process for drawing a display mark of the object to be managed according to an input from a user that specifies the object to be managed from among a plurality of objects to be managed on the map" (claim 17) at col. 10, lines 44-46 of NAITO. This assertion is not correct.

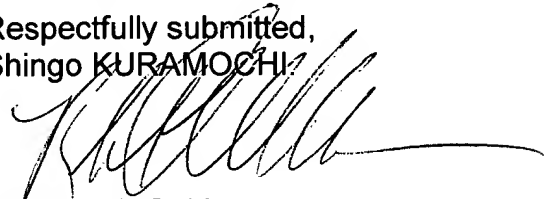
Applicant's Response

While the language cited by the Examiner explains that text corresponding to first and second text information can be displayed on the portable terminal, it does not disclose or suggest a second process for drawing a display mark of the object to be managed according to an input from a user that specifies the object to be managed from among a plurality of objects to be managed on the map.

CONCLUSION

Reconsideration of the Final Office Action and allowance of the present application and all the claims therein are respectfully requested and now believed to be appropriate.

Respectfully submitted,
Shingo KURAMOCHI



Andrew M. Calderon
Reg. No. 38,093

Robert W. Mueller
Reg. No. 35,043

September 28, 2005
GREENBLUM & BERNSTEIN, P.L.C.
1950 Roland Clarke Place
Reston, VA 20191
(703) 716-1191